

## EXTENSIONS OF REMARKS

### INTRODUCING THE LABOR RECRUITER ACCOUNTABILITY ACT OF 2003

**HON. GEORGE MILLER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 19, 2003*

Mr. MILLER of California. Mr. Speaker, I rise today to introduce the "Labor Recruiter Accountability Act of 2003."

As has been well documented in the press, the abuse of recruited workers has become a very serious problem in many areas of our nation. Labor contractors lure workers to the U.S. by promising them a better life with decent wages and good jobs in exchange for thousands of dollars in fees. Instead, tens of thousands of workers arrive in the U.S. only to find that they were cruelly deceived. If they are paid at all, they earn unlivable wages for menial jobs to which they never agreed, with no insurance or health care. And in addition to earning little, they are bound deeply in debt to the recruiter for bringing them to their new home.

This is not employment opportunity: it is indentured servitude. It is modern slavery. Hard as it may seem to believe, this form of indentured servitude is the disturbing reality for thousands of workers, and it should not be occurring in the United States in 2003.

Today, I am introducing the "Labor Recruiter Accountability Act of 2003" to fight this cruel practice by providing for tighter accountability for foreign labor contractors and employers.

The "Labor Recruiter Accountability Act of 2003" holds recruiters and employers responsible for the promises they make to prospective employees, and discourages employers from using disreputable recruiters. The bill requires employers and foreign labor contractors to inform workers of the terms and conditions of their employment at the time they are recruited. It makes employers jointly liable for violations committed by recruiters in their employment. It imposes fines on employers and recruiters who do not live up to their promises and authorizes the Secretary of Labor to take additional legal action to enforce those commitments. Employers and recruiters are prohibited from requiring or requesting recruitment fees from workers and are required to pay the costs, including subsistence costs, of transporting the worker.

The bill discourages disreputable labor contractors by requiring the Secretary of Labor to maintain a public list of labor contractors who have been involved in violations of the Act and by providing additional penalties if employers use a contractor listed by the Secretary as having been involved in previous violations of this Act and that contractor contributes to a violation for which the employer may be liable. The remedies provided under the "Labor Recruiter Accountability Act" are not exclusive, but are in addition to any other remedies workers may have under law or contract.

Is it too much to ask that people who live on American soil, making products for American consumption, be treated like American workers? Even the most basic respect for human rights demands that we act now to protect these workers.

I am pleased that over 30 of our colleagues have joined me as original cosponsors of this bill. I am hopeful that all of our colleagues, on both sides of the aisle, will add their support to this critical legislation to end this kind of despicable exploitation of workers in the United States once and for all. This legislation is also supported by the AFL-CIO, the National Council of La Raza, and the Farmworker Justice Fund. Mr. Speaker, I urge Members of the House to join me and co-sponsor the "Labor Recruiter Accountability Act of 2003."

### RECOGNIZING THE 5TH ANNIVERSARY OF THE INTERNATIONAL RELIGIOUS FREEDOM ACT OF 1998

**HON. STENY H. HOYER**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 19, 2003*

Mr. HOYER. Mr. Speaker, I am pleased to rise in support of H. Res. 423, recognizing the 5th anniversary of the International Religious Freedom Act of 1998, legislation that established the Office of International Religious Freedom within the Department of State.

This office is most often associated with its Annual Report on International Religious Freedom, which describes the status of religious freedom in each foreign country, government policies violating religious belief and practices, and U.S. policies to promote religious freedom around the world.

This document serves as an important tool for both Congress and the administration in making policy decisions regarding our relations with, and support for, countries around the world.

But in addition to the report, and frankly just as importantly, the Office develops strategies to promote religious freedom, both to attack the root causes of persecution and as a means of promoting other fundamental U.S. interests, such as protecting other core human rights, and encouraging the development of mature democracies.

The importance of this work cannot be overstated—the promotion of religious freedom is intimately connected to the promotion of other fundamental human and civil rights, as well as to the growth of democracy.

A government that acknowledges and protects freedom of religion and conscience is one that understands the inherent and inviolable dignity of the human person, and is more likely to protect, the other rights fundamental to human dignity, such as freedom from arbitrary arrest or seizure, or freedom from torture and murder.

But our interest in promoting religious freedom runs deeper than our support for democ-

racy and stability—it is, simply put, our most important core value, the very reason the 13 colonies were established. American support for religious freedom abroad certainly predates passage of this legislation in 1998. I am particularly proud of the role I played during my tenure as the Chairman and Ranking Member of the Helsinki Commission to raise awareness of religious persecution in Eastern Europe and the former Soviet Republics, and the work of the Commission to promote the protection of religious minorities in the Eastern Bloc and elsewhere around the world.

Religious freedom is the first of the freedoms enumerated in the Bill of Rights—a reflection of the founders' belief that freedom of religion and conscience is the cornerstone of liberty.

As Thomas Jefferson wrote in 1803, "It behooves every man who values liberty of conscience for himself, to resist invasions of it in the case of others; or their case may, by change of circumstances, become his own."

I was an active supporter of the original legislation, I am proud of the work done by the office since its creation, and am pleased to help commemorate this important anniversary.

### PAYING TRIBUTE TO CHERYL CHITTENDEN

**HON. SCOTT MCINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 19, 2003*

Mr. MCINNIS. Mr. Speaker, it is my honor to rise and pay tribute to a remarkable woman from my district. Cheryl Chittenden has dedicated her life to ending domestic violence and assisting victims of domestic abuse. For her service, Cheryl was recently recognized as Advocate of the Year and it is my honor to rise and pay tribute to her contributions before this body of Congress today.

Cheryl has been battling the terrors of domestic violence for fifteen years. In 1985, she became the Director of the Latimer House Domestic Violence Shelter. During that time, Cheryl acted as chairperson of the Domestic Violence Task Force, and was one of the founders of the Sexual Assault Nurse Examiner program.

Currently, Cheryl is a Victim Advocate in Mesa, Colorado. Each day, she goes beyond the call of duty for the betterment of domestic violence victims. Cheryl takes each victim's case to heart and treats him or her as though they were family. The Mesa community is truly a better place as the result of Cheryl's contributions.

Mr. Speaker, it is my honor to rise and pay tribute to Cheryl Chittenden before this body of Congress and this nation. Cheryl has dedicated her life to helping others while maintaining her devotion as a loving wife and caring mother. I am honored to join all of those Cheryl has helped in thanking her for her service.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

CONFERENCE REPORT ON H.R. 6,  
ENERGY POLICY ACT OF 2003

SPEECH OF

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 18, 2003*

Mr. UDALL of Colorado. Mr. Speaker, I cannot support this legislation.

We all know that this country is overly dependent on a single energy source—fossil fuels—to the detriment of our environment, our national security, and our economy. To lessen this dependence and to protect our environment, we must pass a bill that helps us balance our energy portfolio and increase the contributions of alternative energy sources to our energy mix.

Unfortunately, this bill doesn't provide that balance. And for the most part it not only falls short of meeting the challenges of our time, in many ways it can be described as an energy policy for the nineteenth century.

Of course just as no bill is perfect, even this bill is not totally bad.

For example, I am pleased that legislation I've initiated is being considered as part of this bill.

The bill includes the Federal Laboratory Educational Partners Act of 2003, legislation I introduced with my colleague Rep. BEAUPREZ that would permit the National Renewable Energy Laboratory and other Department of Energy laboratories to use revenue from their inventions to support science education activities in their communities.

The bill includes the Distributed Power Hybrid Energy Act, a bill I introduced to direct the Secretary of Energy to develop and implement a strategy for research, development, and demonstration of distributed power hybrid energy systems. It makes sense to focus our R&D priorities on distributed power hybrid systems that can both help improve power reliability and affordability and bring more efficiency and cleaner energy resources into the mix.

The bill includes my High Performance Schools Act, which would enable our school districts to build school buildings that take advantage of advanced energy conservation technologies, daylighting, and renewable energy to help the environment and help our children learn. As included in the conference report, my bill would be expanded to help state and local governments improve not only energy efficiency in schools, but also in public buildings in general.

I am also pleased that this bill includes the Clean School Buses Act, a bill that Chairman BOEHLERT and I drafted that authorizes grants to help school districts replace aging diesel vehicles with clean, alternative fuel buses.

But despite these bright spots, most of the bill is bad policy—bad for the environment, bad for the taxpayers, and bad for the country.

Like its predecessor in the last Congress, this bill puts all its eggs in one basket, the wrong basket. For every step the bill takes to move us away from our carbon-based economy, it takes two in the opposite direction.

The bill fails to take any steps whatsoever to require that the nation reduce its dependence on oil or improve the fuel economy of our cars, trucks, and SUVs. In fact, the bill makes it more difficult to update fuel economy

standards by adding new requirements for redundant studies to the National Highway Traffic Safety Administration's CAFE standards-setting process.

By contrast, just today we learned that China is preparing to impose minimum fuel economy standards on new cars for the first time—rules that will be significantly more stringent than those in this country. This is great news for the world—but what an embarrassing proof that we won't even do as much for our own national security and the environment.

That contrast speaks volumes about this bill's priorities, which are the priorities of this Administration.

This bill not only does nothing to decrease our dependence on oil—it also does almost nothing to control demand. But increasing production while ignoring demand is a recipe for disaster.

The Administration boasts that this bill is a balanced approach because it would promote the development of renewable energy and energy efficiency technologies. But aside from a few provisions on electrical appliances and heating systems, the bill does little to promote energy conservation. And although there are some tax incentives for renewable fuels, they pale in comparison to the lavish tax breaks the bills gives the oil and gas industry.

And for all we hear from the Administration about the hydrogen provisions, the bill doesn't go far enough. It's all well and good to authorize billions of dollars to deploy hydrogen fuel cell vehicles, but the bill includes no production or deployment requirements or even goals to ensure that a meaningful number of hydrogen vehicles will be delivered to consumers.

As co-chair of the Renewable Energy and Energy Efficiency Caucus in the House, I define a balanced bill as one that gives more than a passing nod to the development of alternative sources of energy. The Senate version of this bill included sensible provisions to require large utilities to get modest amounts of their power from renewable sources. Although 13 states have already passed their own versions of such a Renewable Portfolio Standard, and although the energy bill conferees just yesterday voted to include the RPS in the conference report, the Republicans stripped it out late last night. If this were really about jobs, as the Republicans claim, they would have retained the RPS provision—which experts say could create millions of new jobs in this country.

I won't even get into some of the other egregious provisions, such as the incentives in the bill for new nuclear and coal development, and the repeal of the Public Utility Holding Company Act, the main law to protect consumers from market manipulation, fraud, and abuse in the electricity sector.

Nor will I complain in detail about process—the fact that Democrats were shut out of conference proceedings, that we don't even know the cost of this 1100-page bill that we were able to review in its entirety only last night, that Republican conferees have essentially been buying votes over the last week to ensure the bill's passage.

An example of this vote-buying is the bill's language to allow polluted areas to have more time to reduce smog pollution but without having to implement stronger air pollution controls, placing a significant burden on states and communities down-wind of these urban areas.

There are other provisions related to public health that should never have been included in this bill. The bill eliminates protections for underground drinking water supplies from potential damages caused by hydraulic fracturing. The bill also provides a special liability waiver for MTBE producer who face lawsuits from states and localities for polluting their water supplies, thereby shifting cleanup costs to taxpayers.

Bad for the country, the bill is particularly bad for the West.

Many of its provisions will directly and immediately affect Colorado and other western States. We have important resources of oil and gas, as well as great potential for solar energy and wind energy. I support energy development in appropriate places and in ways that balances that development with other uses and such other vital resources as water and the people, fish, and wildlife that depend on it. Unfortunately, here again this bill does not reflect the needed balance.

Instead, it combines big subsidies for energy development with lessening of the procedural and substantive requirement that have been established to protect our lands, water, and environment.

Overall, the oil and gas title of the bill is intended to stimulate increased production from both the Outer Continental Shelf and onshore lands. It combines a series of royalty reductions, so companies will pay the public less for the oil, gas, and other energy resources developed on publicly-owned lands.

It also would completely exempt oil and gas construction activities—including roads, drill pads, pipeline corridors, refineries, and other facilities—from the stormwater drainage requirements of the Clean Water Act.

It also has provisions designed to speed up establishing rights-of-way and corridors for oil and gas pipelines and electric transmission lines. Under section 350, within 2 years the federal agencies are to designate new corridors for oil and gas pipelines and electricity transmission and facilities on Federal land in the eleven contiguous Western States of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming. And it provides for a pilot project to speed up the processing of federal permits related to oil and gas development in several parts of the BLM lands. This includes the Glenwood Springs Resource Area in Colorado as well as areas in Montana, New Mexico, Utah, and Wyoming.

Nothing in the bill would increase the resources available to BLM or the other federal land managing agencies to carry out their other responsibilities in connection with management of the affected lands. As a result, this bill has the potential to essentially repeal multiple-use management and to make energy development the dominant use on the public lands.

Similarly, the bill includes a requirement for a study and report on opportunities to develop renewable energy on the public lands and National Forests as well as lands managed by the energy and defense departments—including units of the National Wilderness Preservation System and wilderness study areas, National Monuments, National Conservation Areas, and other environmentally-sensitive areas. At best, this is a prescription for controversy. At worst, it threatens to open the door for incompatible development on lands that should be left as they are.